

25423. Misbranding of Wittone. U. S. v. 645 Bottles of Wittone. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 37072. Sample no. 48581-B.)

Unwarranted therapeutic and curative claims were made for this article.

On January 15, 1936, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of a quantity of Wittone at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about November 30 and December 5, 1935, by United Distributors, Inc., from Louisville, Ky., into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Wittone."

Analysis showed that the article consisted essentially of Epsom salt (28 grams per 100 milliliters), salicylic acid (0.35 gram per 100 milliliters), and water, flavored with cinnamon and colored pink.

Misbranding of the article was charged under the allegation that the packages bore the following statements regarding the curative and therapeutic effects of the article and that the statements were false and fraudulent: "Purify & Tone The Systems of Men, Women & Children * * * Indigestion, Coated Tongue, Headache, Chronic Malaria, Rheumatism Pains, Impure Blood * * * Tired, Dull, Weak Feeling and Influenza * * * With Dysentery, Bloody Flux or Cholera Infantum take $\frac{1}{2}$ teaspoonful without water every 2 hours."

On February 8, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

M. L. WILSON, *Acting Secretary of Agriculture.*

25424. Adulteration and misbranding of Spark'l Rub Alcohol Compound. U. S. v. 888 Bottles of Spark'l Rub Alcohol Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 37073. Sample no. 44072-B.)

This article failed to conform to its professed standard, the label bore erroneous statements regarding its composition and did not contain a statement of the proportion of alcohol in the article, and the bottle contained a lesser amount than represented on its label.

On January 15, 1936, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of a quantity of Spark'l Rub Alcohol Compound at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about September 19, 1935, by Tou Jour Supply Co., from Brooklyn, N. Y., into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Sparkle Rub Alcohol Compound 70 Per Cent C_2H_5O 16 Fl. Ozs. Unexcelled for sponge, rub, bath, massage and all customary external uses of Rubbing Alcohol Compound."

Adulteration of the article was charged under the allegation that its purity fell below the professed standard under which it was sold, namely, "Alcohol Compound 70 Per Cent", in that it was not composed essentially of ordinary (ethyl) alcohol but consisted of impure isopropyl alcohol and water.

Misbranding was charged under the allegation that the label of the article bore the statements, "Alcohol Compound 70 Per Cent" and "16 Fl. Ozs.", and that the said statements were false and misleading (a) in that the former statement created the impression that the article contained ordinary (ethyl) alcohol, when in fact it consisted of a mixture of isopropyl alcohol and water; (b) and in that the quantity of the contents of each of the bottles was less than 16 fluid ounces. Misbranding was further charged under the allegation that the package failed to bear upon its label a statement of the quantity or proportion of isopropyl alcohol contained in the article.

On March 16, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

M. L. WILSON, *Acting Secretary of Agriculture.*

25425. Misbranding of Zo-Ro-Lo. U. S. v. 23 Bottles of Zo-Ro-Lo. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 37074. Sample no. 49625-B.)

Unwarranted therapeutic and curative claims were made for this article.

On January 15, 1936, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of a quantity of Zo-Ro-Lo at

Port Elizabeth, N. J., alleging that the article had been shipped in interstate commerce on or about December 20, 1935, by Zo-Ro-Lo, Inc., from Ada, Ohio., into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Zo-Ro-Lo."

Analysis showed that the article consisted essentially of Epsom salt (24 grams per 100 cubic centimeters), glycerin, water, and small proportions of citric acid, benzoic acid, and menthol, colored red.

Misbranding of the article was charged under the allegation that the bottle label bore the following statements regarding the curative or therapeutic effects of the article and that the statements were false and fraudulent: "A Scientific Preparation Designed to aid Nature in the Treatment of Many Ailments Which are Traceable to Intestinal Auto-Intoxication * * * 'Remove the Cause Nature Will Do The Rest' * * * Directions For the initial dose take 3 to 4 tablespoonfuls followed by a glass of water before breakfast. In case elimination does not begin in 3 to 4 hours, repeat this dose until the bowels function freely (copious, watery stool). Take the same amount for 3 consecutive mornings and then decrease the dose to such amount that may be required to insure proper elimination each morning thereafter. Should the stomach rebel against before-breakfast doses, take after eating. Children should be given Zo-Ro-Lo in proportionate doses according to age. Zo-Ro-Lo should be taken at first sign of Indigestion. Since Zo-Ro-Lo is designed to aid Nature in eliminating the toxins caused from auto-intoxication and putrefaction occurring within the intestinal tract and to establish normal metabolism, the length of time required to take Zo-Ro-Lo will depend upon the condition of the patient. Zo-Ro-Lo contains no * * * harmful * * * drugs."

On February 17, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

M. L. WILSON, *Acting Secretary of Agriculture.*